

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

EVERGREEN HELICOPTERS
INTERNATIONAL, INC., ERICKSON
HELICOPTERS, INC., AND ALLIED
WORLD ASSURANCE COMPANY,

Appellants,

VS.

WORLD FUEL SERVICES, INC.,

Appellee.

Civil Action No. 3:20-cv-03234-E

**AGREED NOTICE OF VOLUNTARY DISMISSAL OF APPEALS
PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 8023**

The parties in this matter respectfully inform this Court that, pursuant to Rule 8023 of the Federal Rules of Bankruptcy Procedure and as evidenced by the signatures below of counsel to all of the parties, the parties have agreed to dismiss all appeals in the above-captioned matter from the United States Bankruptcy Court’s *Order Granting In Part and Denying In Part World Fuel Service, Inc.’s Motion to Enforce Second Amended Joint Plan of Reorganization, Order Confirming Second Amended Joint Plan of Reorganization, Order Resolving Objections to World Fuel Services, Inc.’s Proof of Claim, and Order Granting Relief from the Discharged Injunction* (Dkt. No. 66, Case No. 16-34392-hdh) (the “Bankruptcy Court Order”).¹ The Bankruptcy Court has vacated the Bankruptcy Court Order and all related relief, and the Bankruptcy Court Order is of no further force or effect. *See Order (I) Granting in Part Joint Motion for Clarification and*

¹ All Appellants appealed from the same Bankruptcy Court Order. Those appeals, however, were assigned to two separate district courts. The appeal of Allied World Assurance Company was assigned to this Court. The appeal of Evergreen Helicopters International, Inc. and Erickson Helicopters, Inc. was assigned to the Hon. Sam A. Lindsay, case no. 20-03211. Thus, Appellants are filing identical Agreed Notices of Voluntary Dismissal in both cases.

(II) Vacating all Relief Previously Granted With Respect to World Fuel Service, Inc.'s Motion to Enforce, Dkt. No. 92, Case No. 16-34392-hdh (Bankr. N. D. Tex. Nov. 30, 2020).

Accordingly, the parties respectfully request that the Court (i) dismiss all of the appeals in this matter and (ii) order that all costs and fees associated with the appeals, if any, be taxed against the party incurring the same.

A proposed order has been submitted with this Notice.

Dated: December 3, 2020

Respectfully submitted,

/s/ Charles M. Jones, II

/s/ Kendall Kelly Hayden

Kenric D. Kattner
State Bar No. 11108400
Kourtney Lyda
State Bar No. 24013330
Haynes and Boone, LLP
1221 McKinney Street, Suite 4000
Houston, TX 77010
Telephone: 713.547.2000
Facsimile: 713.547.2600

Kendall Kelly Hayden
Texas State Bar No. 24046197
Cozen O'Connor, P.C.
1717 Main Street, Suite 3100
Dallas, TX 75201-7335
Telephone: (214) 462-3000
Telecopier: (214) 462-3299

and

and

Eric D. Freed
Eric L. Scherling
Cozen O'Connor, P.C.
1650 Market Street, Suite 2800
Philadelphia, PA 19103
Telephone: (215) 665-3724/2042
Telecopier: (215) 701-2081

Charles M. Jones, II
Texas State Bar No. 24054941
Tiffany Cooke
Texas State Bar No. 24087340
Haynes and Boone, LLP
2323 Victory Avenue, Suite 700
Dallas, TX 75219
Telephone: 214.651.5000
Facsimile: 214.651.5940

**ATTORNEYS FOR APPELLANT ALLIED
WORLD ASSURANCE COMPANY**

**ATTORNEYS FOR APPELLANTS
EVERGREEN HELICOPTERS
INTERNATIONAL, INC. AND ERICKSON
HELICOPTERS, INC.**

/s/ Eric D. Winston

Patricia B. Tomasco
TX Bar No. 01797600
Quinn Emanuel Urquhart & Sullivan LLP
711 Louisiana Street, Suite 500
Houston, TX 77002
713-221-7000 telephone
713-221-7100 facsimile

Eric D. Winston
Admitted *Pro Hac Vice*
Quinn Emanuel Urquhart & Sullivan LLP
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
213-443-3000 telephone
213-443-3100 facsimile

**ATTORNEYS FOR APPELLEE
WORLD FUEL SERVICES, INC.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 3, 2020, a true and correct copy of the foregoing document was filed electronically with the Clerk of this Court and served on all parties of record via the Court's ECF System.

/s/ Kendall Kelly Hayden

Kendall Kelly Hayden

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

EVERGREEN HELICOPTERS
INTERNATIONAL, INC., ERICKSON
HELICOPTERS, INC., AND ALLIED
WORLD ASSURANCE COMPANY,

Appellants,

VS.

WORLD FUEL SERVICES, INC.,

Appellee.

[illegible]

Civil Action No. 3:20-cv-03234-E

ORDER DISMISSING APPEALS

Before the Court is the parties' Agreed Notice of Voluntary Dismissal of Appeals Pursuant to Federal Rules of Bankruptcy Procedure 8023 (the "Agreed Notice"). Having considered the Agreed Notice, the Court hereby ORDERS that:

1. All appeals in this matter are hereby DISMISSED; and
2. All costs and fees associated with the appeals, if any, are taxed against the party incurring the same.

Signed on _____, 2020.

Hon. Ada Brown
United States District Judge